

**IN THE MATTER OF**  
United States Patent Application No 09/647098  
In the name of **Eimeria Pty Limited** and  
the **State of Queensland** through the  
**Department of Primary Industries**, and  
the **Rural Industries Research**  
and **Development Corporation**

This is Exhibit **PAS-9** referred to the in the Statutory Declaration of Dr Peter  
A Stearne made before me.

DATED this 27<sup>th</sup> day of April 2001.

BEFORE ME:

*Ross Heisey*

**ROSS M. HEISEY**  
**DAVIES COLLISON CAVE**  
10, 10 BARRACK STREET, SYDNEY 2000  
Registered Patent Attorney within the  
meaning of the Patents Act 1990

# Assignment

Q-60901

Whereas, I/We, David Grant RICHARDS, Wayne Keith JORGENSEN and Norman Porter STEWART, all of AUSTRALIA, hereinafter called assignor(s), have invented certain improvements in VACCINATION MODALITIES

and executed an application for Letters Patent of the United States of America therefor on 2000 ; and

Whereas, Eimeria Pty Limited, of 55 Wonga Road, North Ringwood, Victoria 3134, AUSTRALIA, The State of Queensland Through the Department of Primary Industries, of Department of Primary Industries, 80 Ann Street, Brisbane, Queensland 4001, AUSTRALIA,

AND

Rural Industries Research and Development Corporation, of AMA House, Level 1, 42 Macquarie Street, Barton, ACT 2600, AUSTRALIA

(assignee), desires to acquire the entire right, title, and interest in the application and invention, and to any United States and foreign patents to be obtained therefor.

Now therefore, for valuable consideration, receipt whereof is hereby acknowledged.

I/We, the above named assignor(s), hereby sell, assign and transfer to the above named assignee, its successors and assigns, the entire right, title and interest in the application and the invention disclosed therein for the United States of America and all countries foreign thereto, including rights of priority under the International Convention of Paris (1883) as amended, and I/we request the Commissioner of Patents to issue any Letters Patent granted upon the invention set forth in the application to the assignee, its successors and assigns; and I/we hereby agree that the assignee may apply for foreign Letters Patent on the invention and I/we will execute without further consideration all papers deemed necessary by the assignee in connection with the United States and foreign applications when called upon to do so by the assignee.

I/We hereby authorize and request my attorneys SUGHRUE, MION, ZINN, MACPEAK & SEAS of 2100 Pennsylvania Avenue, N.W., Washington, D.C. 20037-3202 to insert here in parentheses (Application number \_\_\_\_\_, filed \_\_\_\_\_) the filing date and application number of said application when known.

Date: ☒ s/ David Grant RICHARDS  
Date: ☒ s/ Wayne Keith JORGENSEN  
Date: ☒ s/ Norman Porter STEWART  
Date: s/ \_\_\_\_\_  
Date: s/ \_\_\_\_\_

(Notarization not required for recording but is prima facie evidence of execution under 35 U.S.C. §261)

## DECLARATION AND POWER OF ATTORNEY

Q-60901

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name: that I verily believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter claimed and for which a patent is sought in the application entitled:

## VACCINATION MODALITIES

which application is:  
☐ the attached application  
 (for original application)

☒ application Serial No. PCT/AU/99/00232  
 filed 30 March, 1999, and amended on \_\_\_\_\_

(for declaration not accompanying application)

that I have reviewed and understand the contents of the specification of the above-identified application, including the claims, as amended by any amendment referred to above; that I acknowledge my duty to disclose information of which I am aware which is material to the patentability of this application under 37 C.F.R. 1.56, that I hereby claim priority benefits under Title 35, United States Code §119, §172 or §365 of any provisional application or foreign application(s) for patent or inventor's certificate listed below and have also identified on said list any foreign application for patent or inventor's certificate on this invention having a filing date before that of any foreign application on which priority is claimed:

Application Number	Country	Filing Date	Priority Claimed (yes or no)
PP 2683	Australia	30 Mar. 1998	YES

I hereby claim the benefit of Title 35, United States Code §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in a listed prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge my duty to disclose any information material to the patentability of this application under 37 C.F.R. 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status (patented, pending, abandoned)

I hereby appoint John H. Mion, Reg. No. 18,879; Thomas J. Macpeak, Reg. No. 19,292; Robert J. Seas, Jr., Reg. No. 21,092; Darryl Mexic, Reg. No. 23,063; Robert V. Sloan, Reg. No. 22,775; Peter D. Olexy, Reg. No. 24,513; J. Frank Osha, Reg. No. 24,625; Waddell A. Biggart, Reg. No. 24,861; Louis Gubinsky, Reg. No. 24,835; Neil B. Siegel, Reg. No. 25,200; David J. Cushing, Reg. No. 28,703; John R. Inge, Reg. No. 26,916; Joseph J. Ruch, Jr., Reg. No. 26,577; Sheldon I. Landsman, Reg. No. 25,430; Richard C. Turner, Reg. No. 29,710; Howard L. Bernstein, Reg. No. 25,665; Alan J. Kasper, Reg. No. 25,426; Kenneth J. Burchfiel, Reg. No. 31,333; Gordon Kit, Reg. No. 30,764; Susan J. Mack, Reg. No. 30,951; Frank L. Bernstein, Reg. No. 31,484; Mark Boland, Reg. No. 32,197; William H. Mandir, Reg. No. 32,156; Brian W. Hannon, Reg. No. 32,778; Abraham J. Rosner, Reg. No. 33,276; Bruce E. Kramer, Reg. No. 33,725; Paul F. Neils, Reg. No. 33,102; Brett S. Sylvester, Reg. No. 32,765; Robert M. Masters, Reg. No. 35,603 and George F. Lehnigk, Reg. No. 36,359 my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and request that all correspondence about the application be addressed to SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC, 2100 Pennsylvania Avenue, N.W., Washington, D.C. 20037-3202.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date _____	First Inventor <u>David</u>	<u>Grant</u>	<u>RICHARDS</u>
	First Name	Middle Initial	Last Name
Residence <u>Victoria</u>	Signature _____		
<u>Australia</u>	Post Office Address <u>29 Tantani Street, Frankston North, Victoria</u>		
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Date \_\_\_\_\_ Second Inventor Wayne Keith JORGENSEN  
First Name Middle Initial Last Name

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Post Office Address: 9 St Amand Street, Sinnamon Park, Brisbane, Queensland 4073, AUSTRALIA

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Date \_\_\_\_\_ Third Inventor Norman Porter STEWART  
First Name Middle Initial Last Name

Residence Queensland, AUSTRALIA Signature X

Post Office Address: 25 Ocean View Street, Point Vernon, Harvey Bay, Queensland 4655, AUSTRALIA

Citizenship Australian

Date \_\_\_\_\_ Fourth Inventor \_\_\_\_\_  
First Name Middle Initial Last Name

Residence \_\_\_\_\_ Signature \_\_\_\_\_

Post Office Address: \_\_\_\_\_

Citizenship \_\_\_\_\_

Date \_\_\_\_\_ Fifth Inventor \_\_\_\_\_  
First Name Middle Initial Last Name

Residence \_\_\_\_\_ Signature \_\_\_\_\_

Post Office Address: \_\_\_\_\_

Citizenship \_\_\_\_\_

Date \_\_\_\_\_ Sixth Inventor \_\_\_\_\_  
First Name Middle Initial Last Name

Residence \_\_\_\_\_ Signature \_\_\_\_\_

Post Office Address: \_\_\_\_\_

Citizenship \_\_\_\_\_

Date \_\_\_\_\_ Seventh Inventor \_\_\_\_\_  
First Name Middle Initial Last Name

Residence \_\_\_\_\_ Signature \_\_\_\_\_

Post Office Address: \_\_\_\_\_

Citizenship \_\_\_\_\_